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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ESTATE OF TASHI S. FARMER a/k/a  
TASHII FARMER a/k/a TASHII BROWN, by  
and through its Special Administrator, Lorin  
Michelle Taylor; TAMARA BAYLEE  
KUUMEALI' MAKAMAE FARMER  
DUARTE, a minor, individually and as  
Successor-in-Interest, by and through her legal  
guardian, Stevandra Lk Kuanoni; ELIAS BAY  
KAIMIPONO DUARTE, a minor, individually  
and as Successor-in-Interest, by and through his  
legal guardian, Stevandra Lk Kuanoni,

19 Plaintiffs,

20 | VS

LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT, a political subdivision of the  
State of Nevada; OFFICER KENNETH  
LOPERA, individually and in his Official  
Capacity; SERGEANT TRAVIS CRUMRINE,  
individually and in his Official Capacity;  
OFFICER MICHAEL TRAN, individually and  
in his Official Capacity; OFFICER MICHAEL  
FLORES, individually and in his Official  
Capacity; and Does 1 through 50, inclusive,

Defendants.

Case No.: 2:17-cv-01946-JCM-PAL

**DECLARATION OF DARREN D.  
DARWISH IN SUPPORT OF PLAINTIFFS'  
REPLY TO DEFENDANT OFFICER  
KENNETH LOPERA'S OPPOSITION TO  
PLAINTIFF'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT**

1                   **DECLARATION OF DARREN D. DARWISH**

2                   I, Darren Darwish, declare as follows:

3                   I am an attorney admitted to practice in the State of California and admitted Pro Hac Vice  
4 in this matter. I am an associate in the law firm of Abir Cohen Treyzon Salo, LLP, attorneys of  
5 record for Plaintiffs. The following facts and circumstances are personally known to me or based  
6 upon information and belief, and if called as a witness, I could and would competently testify  
7 thereto:

8                   1.         Attached hereto as Exhibit "A" is a true and correct copy of the Tactical Review  
9 Board's Report dated August 24, 2017 and sent to Sheriff Joseph Lombardo. LVMPD produced  
10 the TRB Report as part of its disclosures in discovery. Counsel for all parties have discussed this  
11 exhibit and its authenticity is not in dispute.

12                  2.         Attached hereto as Exhibit "B" is a true and correct copy of the relevant portions  
13 of Defendant Las Vegas Metropolitan Police Department's ("LVMPD") Use of Force Policy and  
14 Procedure. LVMPD produced its Use of Force Policy and Procedure as part of its disclosures in  
15 discovery. Counsel for all parties have discussed this exhibit and its authenticity is not in dispute.

16                  3.         Attached hereto as Exhibit "C" are true and correct copies of relevant portions of  
17 the deposition of Assistant Sheriff Tim Kelly, taken on October 25, 2018.

18                  4.         Attached hereto as Exhibit "D" are true and correct copies of relevant portions of  
19 the deposition of Chief John McGrath, taken on December 27, 2017.

20                  5.         Attached hereto as Exhibit "E" are true and correct copies of relevant portions of  
21 the deposition of Defendant Sergeant Travis Crumrine, taken on December 27, 2017.

22                  6.         Attached hereto as Exhibit "F" are true and correct copies of relevant portions of  
23 the deposition of Defendant Officer Michael Tran, taken on December 20, 2017.

24                  7.         Attached hereto as Exhibit "G" are true and correct copies of relevant portions of  
25 the deposition of Jonathan Pierce, taken on April 26, 2018.

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1       8. Attached hereto as Exhibit "H" is a true and correct copy of Merriam-Webster's  
2 definition of the term "unreasonable" taken from its website: <https://www.merriam->  
3 [merriam-webster.com/dictionary/unreasonable](https://www.merriam-webster.com/dictionary/unreasonable). I accessed [www.merriam-webster.com](https://www.merriam-webster.com) on January 23,  
4 2019 and looked up the definition for the term "unreasonable." After finding the definition, I  
5 then saved and printed out the accessed webpage.

6       9. Attached hereto as Exhibit "I" are true and correct copies of relevant portions of  
7 the deposition of Alane Olson, M.D., taken on September 12, 2018.

8       10. Attached hereto as Exhibit "J" is a true and correct copy of an incident timeline  
9 created by Las Vegas Metropolitan Police Department, which was referred to as Exhibit A to the  
10 Declaration of Craig R. Anderson, Esq. in support of Motion for Summary Judgment (Doc 92-  
11 3).

12       11. Attached hereto as Exhibit "K" are true and correct copies of relevant portions of  
13 the deposition of Sergeant Michael Bland, taken on December 21, 2017.

14       12. Attached hereto as Exhibit "L" are true and correct copies of relevant portions of  
15 the deposition of Defendant Officer Michael Flores, taken on February 8, 2018.

16       13. Attached hereto as Exhibit "M" is a true and correct copy of the Clark County  
17 Coroner's Autopsy Report. LVMPD produced this document as part of its disclosures in  
18 discovery. Counsel for all parties have discussed this exhibit and its authenticity is not in dispute.  
19 This exhibit was authenticated by Dr. Alane Olson at the time of her deposition.

20       14. Attached hereto as Exhibit "N" is a true and correct copy of LVMPD Discipline  
21 for Excessive Force Involving Neck Area. LVMPD produced this document as part of its  
22 disclosures in discovery. Counsel for all parties have discussed this exhibit and its authenticity  
23 is not in dispute.

24       15. Attached hereto as Exhibit "O" is a true and correct copy of LVMPD's  
25 Announcement regarding Updates to Use of Force Policy. LVMPD produced this document as  
26 part of its disclosures in discovery. Counsel for all parties have discussed this exhibit and its  
27 authenticity is not in dispute.

28       ///

16. Attached hereto as Exhibit "P" is a true and correct copy of the relevant portions of the Lateral Vascular Neck Restraint System Training Manual. LVMPD produced this document as part of its disclosures in discovery. Counsel for all parties have discussed this exhibit and its authenticity is not in dispute.

17. Attached hereto as Exhibit "Q" are true and correct copies of relevant portions of the deposition of Adelwisa V. Lizada, M.D. taken on July 19, 2018.

18. Attached hereto as Exhibit "R" is a true and correct copy of LVMPD's Arrest Report of Officer Lopera. This document has been produced in discovery. Counsel for all parties have discussed this exhibit and its authenticity is not in dispute.

19. Attached hereto as Exhibit "S" is a true and correct copy of the relevant portions of LVMPD's Advanced Officers Skills Training Defensive Tactics Manual in effect on the date of the subject incident. LVMPD produced this document as part of its disclosures in discovery. Counsel for all parties have discussed this exhibit and its authenticity is not in dispute.

20. Attached hereto as Exhibit "T" is a true and correct copy of Taser Report Print-Out. LVMPD produced this document as part of its disclosures in discovery. Counsel for all parties have discussed this exhibit and its authenticity is not in dispute.

21. Attached hereto as Exhibit "U" is a true and correct copy of the relevant portions of LVMPD's Use of Force Policy and Procedure regarding Electronic Control Devices (ECD). LVMPD produced its Use of Force Policy and Procedure as part of its disclosures in discovery. Counsel for all parties have discussed this exhibit and its authenticity is not in dispute.

I declare under penalty of perjury under the laws of the State of California, State of Nevada, and the United States that the foregoing is true and correct.

Executed on March 4, 2019 in Los Angeles, California.

*/S/ Darren D. Darwish*

Darren D. Darwish, Esq.